

# **Exhibit “C”**

## CHARGE OF DISCRIMINATION

This form is affected by the Privacy Act of 1974; See Privacy Act Statement before completing this form.

AGENCY CHARGE NUMBER  
☒ FEPA  
☒ EEOC 12106  
 37B-A3-00235

Hawaii Civil Rights Commission

State or local Agency, if any

and EEOC

(Indicate Mr., Ms., Mrs.)

Mr. Robert W. Sherez

HOME TELEPHONE (include Area Code)

(808) 596-9145

STREET ADDRESS

715 Pensacola Street, No. 2

CITY, STATE AND ZIP CODE

Honolulu, HI 96814

DATE OF BIRTH

NAMED IS THE EMPLOYER, LABOR ORGANIZATION, EMPLOYMENT AGENCY APPRENTICESHIP COMMITTEE, STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME (If more than one list below.)

NAME

State of Hawaii, Department of Education

NUMBER OF EMPLOYEES, MEMBERS

15+

TELEPHONE (include Area Code)

(808) 233-5700

STREET ADDRESS

46-169 Kamehameha Highway

CITY, STATE AND ZIP CODE

Kaneohe HI 96744

COUNTY

003

NAME

TELEPHONE (include Area Code)

STREET ADDRESS

CITY, STATE AND ZIP CODE

COUNTY

CAUSE OF DISCRIMINATION BASED ON (Check appropriate box(es))

☐ RACE ☐ COLOR ☒ SEX ☐ RELIGION ☐ NATIONAL ORIGIN  
☒ RETALIATION ☐ AGE ☐ DISABILITY ☐ OTHER (Specify)

DATE DISCRIMINATION TOOK PLACE  
 EARLIEST LATEST  
 2/28/03

☐ CONTINUING ACTION

THE PARTICULARS ARE (If additional space is needed attach extra sheet(s):

I. During the course of my employment, I was subjected to unequal terms and conditions of employment, the last incident occurring on or about February 28, 2003, when I was terminated from my teaching position at the McKinley Adult Community School. I was employed since 1988 and was working as a Home and Hospital Tutor and GED Instructor, earning \$14.39 hourly.

II. In Spring 2002, Virginia Soares, Windward District Secretary, told me that I was taken off the case of a pregnant student because I am a male and this student is a female. Sarah Gronah, Vice Principal at Castle High School, told me that males cannot tutor pregnant students. Ira Ilson, Counselor at Castle High School, told me that he wouldn't be able to assign me a pregnant student to tutor because Ms. Gronah told him that no male may tutor a female student.

When I asked for more assignments, Ms. Gronah told me that I have one assignment already and that's it. Regarding not being allowed to attend IEP meetings for my students, Mr. Soares told me that Ms. Gronah told her that I cannot attend because I am not the student's teacher--I'm only their tutor. No reasons were given as to why the course work was increased and the tutoring hours decreased.

Page 1 of 3

☒ I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or telephone number and cooperate fully with them in the processing of my charge in accordance with their procedures.

NOTARY - (When necessary for State & local requirements)

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information, and belief.

SIGNATURE OF COMPLAINANT

*Robert Sherez*

8/5/2003

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE  
 (Day, month, and year)

EXHIBIT C

Charging Party signature:

DATE FILED:

AUG 5 2003

MEW ktk

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☒ FEPA  
☒ EEOC

12106  
373-A3-00285

# Hawaii Civil Rights Commission

State or local Agency, if any

and EEOC

(Indicate Mr., Ms., Mrs.)

Mr. Robert W. Sherez

HOME TELEPHONE (Include Area Code)

(808) 596-9145

STREET ADDRESS

CITY, STATE AND ZIP CODE

715 Pensacola Street, No. 2

Honolulu, HI 96814

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DATE DISCRIMINATION TOOK PLACE  
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☐ CONTINUING ACTION

THE PARTICULARS ARE (If additional space is needed attach extra sheet(s):

Ms. Sampei, Principal of the McKinley Adult Community School, told me that my class was ending early because attendance was falling off.

III. I believe that I was subjected to unequal terms and conditions of employment and terminated because of my sex, male, and in retaliation for my opposing the sex discrimination. This is in violation of Hawaii Revised Statutes, Chapter 378. My beliefs are based on the following:

- A. During the course of my employment, I was subjected to the following unequal terms and conditions of employment, including but not limited to: in Spring 2002, my tutoring assignment was taken from me; not assigned any more tutoring cases; not allowed to attend the IEP meetings of my student; tutoring hours were decreased per course and I was not informed of this.
- B. After I was taken off the case of my female student, I informed Ms. Soares that this is illegal. She told me that I would be assigned other cases. However, after I opposed the sex discrimination, I did not receive any more new tutoring cases.

Page 2 of 3

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NOTARY - (When necessary for State & local requirements)

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

I declare under penalty of perjury that the following is true and correct

SIGNATURE OF COMPLAINANT

Robert Sherez 8/5/03

Date

Charging Party (signature)

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE  
(Day, month, and year)

EEOC FORM 3

DATE FILED: AUG 5 2002

MEW:rtk

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Mr. Robert W. Sherez

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- C. I also spoke to Sarah Gronah, Vice Principal of Castle High School, Meredith Maeda, Principal of Castle High School, and Marty Matison, Educational Specialist at the Windward District Office. I told each of them that it was illegal to discriminate against me because of my gender.
- D. Not long after my complaining to the Castle Administration about my being discriminated against because of my gender, I was terminated from my teaching position at the McKinley Adult Community School.
- E. Attendance to my class was not falling off.
- F. My job performance was more than satisfactory.

Page 3 of 3

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SIGNATURE OF COMPLAINANT

Robert Sherez 3/5/03

Date

Charging Party signature

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE  
(Day, month, and year)

DATE FILED:

AUG 5 2003

AEW:mk